

of the information covering the misbranding charges were dismissed. A plea of guilty was entered to the remaining counts, and on May 29, 1947, the court imposed a fine of \$50 on each of the 7 counts.

**2311. Adulteration and misbranding of Diet Tablets. U. S. v. National Drug Laboratories, Inc., and Jules Press. Pleas of guilty. Fines, \$2,000 and costs against corporation and \$250 and costs against individual. (F. D. C. No. 23219. Sample No. 65559-H.)**

**INFORMATION FILED:** October 6, 1947, Northern District of Illinois, against the National Drug Laboratories, Inc., Chicago, Ill., and Jules Press, president of the corporation.

**ALLEGED SHIPMENT:** On or about April 29, 1946, from the State of Illinois into the State of Pennsylvania.

**LABEL, IN PART:** "Diet Tablets \* \* \* Distributed by Vitamix Corporation Philadelphia, Pa."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, in that each tablet was represented to contain 1/360 grain of atropine sulfate, whereas each tablet contained more than 1/360 grain of atropine sulfate.

Misbranding, Section 502 (a), the label statement "Atropine Sulphate 1/360 grain" was false and misleading.

The information alleged also that certain other products were adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** January 29, 1948. Pleas of guilty having been entered, the court imposed fines of \$2,000 and costs against the corporation and \$250 and costs against the individual.

**2312. Adulteration and misbranding of thyroid powder. U. S. v. 1 Drum \* \* \* (and 1 other seizure action). (F. D. C. Nos. 24326, 24327. Sample Nos. 13039-K, 13040-K.)**

**LABELS FILED:** On or about February 2 and 10, 1948, District of New Jersey and Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 17 and 20, 1947, by the National Drug Laboratories, Inc., from Chicago, Ill.

**PRODUCT:** 1 300-pound drum and 1 100-pound drum of *thyroid powder* at Wenonah, N. J., and Philadelphia, Pa., respectively.

**NATURE OF CHARGE:** Adulteration, Section 501 (b), the article purported to be and was represented as a drug, thyroid, the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from, and its purity fell below, the official standard, since it contained less than 0.17 percent of iodine in thyroid combination and was not free from iodine in inorganic combination; and, Section 501 (d), a substance, iodine in a combination other than that peculiar to the thyroid gland, had been mixed and packed with the article so as to reduce its quality and strength, and had been substituted in part therefor.

Misbranding, Section 502 (i) (2), the article was an imitation of another drug, thyroid; and, Section 502 (i) (3), it was offered for sale under the name of another drug, thyroid.

**DISPOSITION:** March 5 and April 5, 1948. Default decrees of condemnation and destruction.

**2313. Adulteration of elixir of phenobarbital. U. S. v. Herman Achs (Certified Laboratories). Plea of guilty. Defendant fined \$100 and sentenced to 6 months in jail. Jail sentence suspended. (F. D. C. No. 23236. Sample No. 65188-H.)**

**INFORMATION FILED:** September 18, 1947, Eastern District of Pennsylvania, against Herman Achs, trading as Certified Laboratories, Philadelphia, Pa.

**ALLEGED SHIPMENT:** On or about October 3, 1946, from the State of Pennsylvania into the State of New Jersey.

**NATURE OF CHARGE:** Adulteration, Section 501 (d) (2), a substance consisting essentially of an aqueous alcoholic solution containing phenobarbital, glycerin, saccharin, and cudbear, together with an aromatic material resembling orange oil, had been substituted for "Elixir of Phenobarbital," a drug the name of

which is recognized in the United States Pharmacopoeia, and which in accordance with the specifications of the Pharmacopoeia does not contain tincture of cudbear and saccharin.

**DISPOSITION:** November 26, 1947. A plea of guilty having been entered, the court imposed a fine of \$100 and sentenced the defendant to 6 months in jail, which sentence was suspended.

**2314. Adulteration of calcium levulinate and obstetrical pituitary. U. S. v. American Bio-Chemical Corporation, Al G. Johns, and Joseph A. Blakeslee. Pleas of nolo contendere. Fine of \$500 against corporation and \$300 against each individual. (F. D. C. No. 22015. Sample Nos. 30695-H, 48267-H, 48289-H.)**

**INFORMATION FILED:** August 1, 1947, Southern District of California, against the American Bio-Chemical Corp., Los Angeles, Calif., and Al G. Johns, president and treasurer, and Joseph A. Blakeslee, vice-president and secretary, of the corporation. The defendants were charged with the interstate shipment, on or about September 19, 1946, of a quantity of *obstetrical pituitary* and with giving a false guaranty with respect to the *calcium levulinate*. The guaranty was given on or about December 5, 1945, to Nathan Melnick, doing business as the Vitamin-Endocrine Co., Los Angeles, Calif. It provided that the article comprising each shipment or delivery made by the defendant to the latter firm would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act. On or about June 20, 1946, the defendants delivered to the Vitamin-Endocrine Co. a quantity of *calcium levulinate*, which was shipped on or about June 26, 1946, by that company in the name of the Jerry Lindeman Co., from the State of California into the State of Arizona.

**NATURE OF CHARGE:** *Calcium levulinate*. Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess. The article was represented to be a sterile solution suitable for intravenous administration, whereas it was not a sterile solution but was contaminated with viable molds and yeasts, and it was not suitable for intravenous administration, in that it was contaminated with viable molds and yeasts and undissolved material.

*Obstetrical pituitary*. Adulteration, Section 501 (b), the article purported to be and was represented as a drug, the names of which, i. e., "Posterior Pituitary Injection" and "Solution of Pituitary," are recognized in the United States Pharmacopoeia, an official compendium, and its strength differed from the official standard. The potency of the article was such that 0.1 cc. possessed an activity equivalent to less than 1 U. S. P. Posterior Pituitary Unit, whereas the official compendium provides that "The potency of Posterior Pituitary Injection shall be such that 0.1 cc. of the Injection shall possess an activity equivalent to one U. S. P. Posterior Pituitary Unit"; and its difference in strength from the standard was not plainly stated, or stated at all, on its label.

The information alleged also the interstate shipment of another product, Tri-B-Lex Vitamin B Complex, which was adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** August 11, 1947. Pleas of nolo contendere having been entered, the court imposed fines of \$500 against the corporation and \$300 against each individual.

**2315. Adulteration of sodium iodide. U. S. v. 850 Ampuls \* \* \*. (F. D. C. No. 23518. Sample No. 66692-H.)**

**LABEL FILED:** July 22, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about May 15, 1947, by the Estro Chemical Co., Inc., from New York, N. Y.

**PRODUCT:** 850 10 cc.-size ampuls of *sodium iodide* at Philadelphia, Pa.

**NATURE OF CHARGE:** Adulteration, Section 501 (b), the article purported to be and was represented as a drug, "Ampuls of Sodium Iodide," the name of which is recognized in the National Formulary, an official compendium, and its quality and purity fell below the standard set forth therein, since the compendium provides that ampul solutions must be substantially free of any undissolved material, and the article was contaminated with undissolved material.

**DISPOSITION:** February 2, 1948. Default decree of condemnation and destruction.